

REMARKS

Claims 64 to 79 are pending in the application. Claims 64 and 75 are independent.

Favorable reconsideration and further examination are respectfully requested

Initially, Applicants thank the Examiner for the indication that claims 65, 69, 71 to 74, 78 and 79 are allowable. Applicants, however, have not incorporated the allowable subject matter into the independent claims because Applicants believe those claims to be patentable for at least the reasons explained below.

Next, Figs. 1, 2D, 3, 4, 5A, 5B, 5C, 6 and 9 were objected to for not containing descriptive text. Applicants are submitting replacement sheets herewith, and respectfully request withdrawal of this objection to the drawings.

The non-allowable claims were rejected over U.S. Patent No. 6,091,765 (Pietzold) in view of DE3010707 (Kautmann). As shown above, Applicants have amended the claims; however, these amendments were not made in response to the art rejection. Accordingly, this should be viewed as a traversal of the rejection over Pietzold and Kautmann.

Independent claim 64 recites microswitches or microrelays associated with the passive structural elements. The microswitches or microrelays are actuated to configure the passive structural elements to produce at least one functional parameter, which comprises a frequency characteristic. A control unit is programmable over a wireless interface to actuate the microswitches or microrelays and to set a value of the at least one functional parameter. The applied art is not understood to disclose or to suggest at least these features of claim 64.

In this regard, the Office Action admits that Pietzold does not disclose the foregoing features.¹ Kautmann was therefore cited to make up for this deficiency of Pietzold. However, as understood by Applicants, Kautmann describes tuning elements in only a receiving stage (e.g., a high-frequency receiver).² In particular, as described on pages 2 and 3 of Kautmann, "[t]he arithmetic and control unit 6 determines the most favorable L/C combination for adjusting the receiving frequency desired in 8. The L-tuning elements and C-tuning elements contained in 2 are selected by the electronic switching elements 3". Thus, while Kautmann describes tuning a receiving stage, it does not disclose or suggest configuring passive structural elements in a transmitter stage and a switch-over and adapter stage. Accordingly, even if Kautmann were combined with Pietzold in the manner suggested in the Office Action, the resulting hypothetical combination would still fail to disclose or to suggest all of the features of claim 64.

Independent claim 75 recites a method for operating a terminal associated with a mobile phone, which includes receiving a signal to configure a transmitter stage or a receiver stage of the terminal, and deactivating the transmitter stage and the receiver stage before configuring a microswitch configuration, a microrelay configuration, or a micromotor associated with the transmitter stage or the receiver stage.

It was said on page 7 of the Office Action that column 37, lines 29 to 60, of Pietzold describes deactivating the transmitter stage and receiver stage during reconfiguration. The cited portion of Pietzold describes a power-up operation for ASIC 24, which includes transmitting and receiving stages. Applicants, however, do not understand this portion of Pietzold to disclose or

¹ Office Action, page 4
²

to suggest deactivating the transmitter stage and the receiver stage before configuration. In fact, the cited portion of Pietzold describes reconfiguration upon power up and reset.³

As described in Applicants' specification, one reason for deactivating the transmitter stage and the receiver during reconfiguration is to protect the microswitch configuration, the microrelay configuration, or the micromotor from overcurrents or voltage peaks.⁴ Since there is no corollary in Pietzold to the microswitch configuration, the microrelay configuration, or the micromotor, Applicants submit that there is no disclosure or suggestion to deactivate the transmitter stage and the receiver before configuration. Kautmann, which does describe configuring passive elements likewise does not disclose or suggest deactivating the transmitter stage and the receiver before configuration. Accordingly, even if Kautmann were combined with Pietzold in the manner suggested in the Office Action, the resulting hypothetical combination would still fail to disclose or to suggest all of the features of claim 75.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or

³ Specifically, this reset clears the phase accumulator, forces narrowband data in the mixer to zero and starts a narrowband mix cycle, resets the address generator for the impulse blanker delay memory, and resets feedback paths inside the impulse blank engine. In the CIC, it clears the integrators, forces zeros in the comb stage, and initializes the decimation (interpolation) counter. In the CFIR, it initializes the data delay line and coefficient counters. The same for the PFIR. In the backend bus 139, it initializes all bus interface unit state machines and the bus time slot counter. In the re-sampler 202, the control gets reset as well as the memory address generator. In the cordic reset, it initialize control logic and clears the recirculating data path. In the FIFO 204, it reset sets the FIFO addresses to zero, and clears the control logic. In summary, reset initializes all control logic and clears recirculating data paths.

⁴ Application, page 5, lines 3 to 7

concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

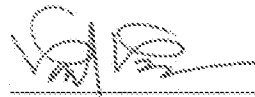
Applicants' undersigned attorney can be reached at the address shown below. Telephone calls regarding this application should be directed to 617-521-7896.

Please apply any fees due, including extension fees, to Deposit Account No. 06-1050 referencing Attorney Docket No. 12758-025001.

Respectfully submitted,

Date: _____

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